

U.S. Army Corps of Engineers (*Name of USACE Office*)
(*Name of site*)
Department of Transportation Security Plan

Date

(Note: If it is determined by the USACE office that the specific hazmat presents a security risk during the pre-transportation phase, a site-specific security plan should be developed by the USACE office as an offeror of the specific hazmat to a contractor in commerce. All employees involved in the pre-transportation of the related hazmat should be trained on the provisions of this plan.)

I. Purpose

As a result of the terrorist attacks of September 11, 2001, and subsequent threats related to biological and other hazardous materials, the Research and Special Programs (RSPA) office of the Department of Transportation (DOT) undertook a broad review of government and industry hazardous materials transportation safety and security programs. In the wrong hands, hazardous materials can pose a significant security threat. Hazardous materials in transportation are particularly vulnerable to sabotage or misuse. On May 2, 2002, RSPA issued a proposed rulemaking addressing security requirements. On March 25, 2003, RSPA issued the final rule on this matter.

USACE is committed to the safety and security of our employees, the customers we serve, and the general public. In a sincere effort to comply with DOT Security Regulations (HM-232), the *(name of USACE office)* has prepared this security plan to address the security requirements pertinent to the offering of the following hazmat: *(check ones that apply)*

- ☐ A highway route-controlled quantity of a Class 7 (radioactive) material in a motor vehicle, rail car, or freight container;
- ☐ More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
- ☐ More than one L (1.06 qt) per package of a material poisonous by inhalation that meets the criteria for Hazard Zone A;
- ☐ A shipment of a quantity of hazardous materials in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
- ☐ A shipment in other than a bulk packaging of 2,268 kg (5,000 pounds) gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required;
- ☐ A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR 73; or
- ☐ A quantity of hazardous material that requires placarding under the provisions of 49 CFR 172, Subpart F.

(Name of USACE office) acts as an offeror of the above covered hazmat. The physical loading and transportation of this material is to be conducted by *(name of companies)*. This plan will cover our responsibilities as the offeror during pre-transportation activities and our efforts to coordinate the security aspects of the physical loading and transportation of the hazmat as conducted by *(name of company)*.

II. Roles and Responsibilities

The *(name of USACE office)* at *(site or project name)* located at *(address)* serves in the capacity as an offeror of *(type of hazmat from above)*. The government manages the work at the site and contractually requires that *(name of site contractor)* secure the site as per the basic contract. *(Note: In the following phrase, indicate the specific functions the government will perform verses the contractor. Example follows.)* Through the contract, the government procures the services of a contractor who is responsible for the development of shipping papers for the hazmat as well as the physical marking, labeling, placarding and packaging of the

hazmat. Lastly, the contractor is responsible for the physically transportation of the hazmat offsite.

As the offeror of the hazmat, we will undertake various security measures while the hazmat is onsite. In addition, we will undertake reasonable efforts to determine if *(name of contractors responsible for pre-transportation and transportation of specific hazmat)* have the appropriate security plans in place as required in 29 CFR 172, Subpart I.

In addition to the general security measures that have been instituted since 9-11 by the Department of Defense (DoD), we are also required to comply with the following specific requirements:

- DOD 4500.9-R, Defense Transportation Regulation (DTR), Part II, Chapter 205, Movement of Sensitive, Conventional Arms, Ammunition & Explosives, (Classified SECRET and Confidential), and Controlled Cryptographic Item (CCI) Sensitive Items
- DoDD 5200.8; Security of Military Installations and Resources
- DoDI 6055.4; DoD Traffic Safety Program
- DOD 5200.1-R, Information Security Program, Chapter 7
- DOD 5100.76-M, Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives

III. Personnel security

USACE recognizes that there is a potential for employees to be substantial security risks. During the hiring of federal employees security checks are performed. The security checks include:

- Completion of Standardized Form SF85 – Questionnaire for Non-sensitive Positions
- Credit checks
- Local (Home of Record) and State Police law enforcement checks
- FBI name and fingerprint checks
- Citizenship

Additional security checks are conducted on persons requiring security clearances.

IV. Unauthorized access to site

The USACE *(name of office)* will require the contractor to prevent unauthorized entry to the site for security and safety reasons. The contractor will provide site security as required under their contract.

In addition, *(name of USACE office)* will assess the adequacy of the contractor's security measures performed under the contract as they relate to hazmat pre-transportation activities. *(Name of USACE office)* will require that the onsite contractor provide a certification to the government that his staff involved in pre-transportation activities for the specific hazmat meets the security provisions outlined by the contractor's security plan. Certification language is as follows:

"I hereby certify that those persons employed by *(name of contractor)* have had background checks performed and that they do not pose a security risk in the pre-

transportation related activities with respect to the covered hazmat. We have a security plan in place that addresses these matters as per the requirements of 49 CFR 172, Subpart I.”

This certification will be placed in the project files with the shipping documents, and retained for at least the period required for the shipping papers.

V. Unauthorized access to transport conveyances

Hazmat will only be released to authorized “qualified transporters”, who are required to adhere to the compliance requirements of 49 CFR, Part 172.

The USACE (*name of office*), as the offeror will:

- Check the initial transporter for a valid CDL, with the appropriate hazmat certifications.
- Require the transporter secure all hazmat in lockable compartments at the time of pickup. The transporter must provide and affix a padlock (or other suitable locking mechanism) and a numbered tamper seal, as applicable by the disposal contract. The vehicle must not depart the premises until this has been accomplished. For bulk loads, the contractor should develop and implement a security measure, such as security tape, to indicate if the container has been tampered with.
- Require the name and signature of the transporter and the seal number, as applicable.
- Require that the trucks be locked and sealed, as applicable, as soon as final loading is completed. Require rollup-type doors are secured before the truck is moved. In case of swingout doors, the driver will pull the unit out upon completion of loading so that locks and applicable seals can be applied. Side doors and other openings providing access to cargo compartments will also be secured. For bulk loads in railcars or gondolas, a security mechanism should be developed, such as the use of security tapes across liners, etc.
- Require the contractor and transporter comply with all other appropriate federal, DoD, state and local laws and policies pertaining to loading, securing, marking, placarding, and recordkeeping.
- Require that whenever a locking control mechanism is suspected of having been compromised, the transporter will notify the Contractor. The Contractor will notify the COR and Contracting Officer for instructions.

VI. USACE En Route Security measures

(*Name of USACE office*) is the offeror of the hazmat. As such, our plan covers the security elements prior to physical transportation. Our transportation contractors have a duty under our contracts and under Federal law to comply with all DOT hazmat laws and regulations.

As an offeror, we must rely on our transporters to generate en route security plans. As the offeror, we will utilize a certification procedure to satisfy ourselves that the transporter has a security plan in place that adequately addresses the hazmat to be transported, including risks related to the storage of the material incidental to transportation.

With the initial shipment of each category of hazmat covered by the security plan requirement, USACE will require the transporter to sign and date the following certification:

“I hereby certify that *(name of transportation company)* has a Security Plan in place which meets the requirements of 49 CFR 172 Subpart I for the hazardous materials described in the attached shipping papers.”

This certification will be placed in the project files with the shipping documents, and retained for at least the period required for the shipping papers.

Hazmat will not be released to an initial transporter who does not make this certification to USACE.

VII. Contractor En Route Security requirements

All contract transporters must have their own DOT Security Plan that meets the requirements of 49 CFR172, Subpart I and, at a minimum, meet or exceed the following additional requirements:

- Truck and trailer locks will be used at all times when the truck is not being actively loaded or unloaded.
- In all instances, drivers will travel in the most direct route, avoiding tunnels, avoiding high population centers, including downtown and /or metropolitan areas where possible.
- All hazardous materials will be delivered expeditiously with a minimum number of stops en route.
- If stops need to be made, locations with adequate lighting on well-traveled roads will be selected. The vehicle will be checked after each stop to make sure nothing has been tampered with.
- Do not make any unscheduled stops in unfamiliar locations.
- Before leaving/exiting your tractor, look around and become aware/familiar with your surroundings, and those who may be around you.
- Remain particularly observant for suspicious activities in and around critical points, such as refueling locations, terminals, port facilities, and chemical plants.
- Be alert for “tailing” or suspicious persons/vehicles constantly close to you.
- Always observe bridges, tunnels, potential choke points, and other potential targets.
- All drivers have a form of communication (ex. cell phone, 2-way radios, etc), which will allow contact to be made between the driver and the shipper or the destination facility.
- Monitor communications for any changes in conditions that might affect you en route. Communicate information you learn to your dispatcher.
- Request photo identification from all drivers.
- In case of an emergency concerning hazardous material transportation, the vehicle driver shall notify the police and USACE representative as soon as practicable.

VIII. Security Breach Procedure

Any significant site security breaches which pose an apparent danger to employees, equipment, facilities or hazardous material shipments will be reported to the USACE (*name of District*) security officer immediately. The (*name of USACE office*), who will respond according to the nature of the event, will document all non-significant security breaches. Documentation of all events shall be maintained by the USACE representative and the Security officer as appropriate.

A significant security breach will include any:

- Actual attack or apparent attack
- Incident involving actual or attempted hijacking
- Deliberate act aimed at stopping a vehicle or causing an accident
- Incident involving the use or threatened use of weapons of any kind
- Discovery of sabotage or attempted sabotage of any shipment, equipment or security system
- Unexplainable failure of security technology and systems
- Unauthorized personnel found in or attempting to enter areas involving hazardous materials operations, tanks, trailers, and other specialized equipment for transportation of hazardous materials
- Loss, theft, or compromise of security sensitive information
- Cyber attack against USACE's business system

A non-significant security breach will include any:

- Observations of apparent or suspected characteristic terrorist operational acts
- Attempts to gain security related information from USACE personnel
- Employees accessing or attempting to access areas for which they are not authorized
- All other failures of security technology and systems, and other violations of security policies and procedures

IX. Revisions to this Security Plan

(*Name of USACE office*) will review the security records and performance of all operations at least once per year to determine if any revisions are needed to this plan. Additionally, for each significant breach of security the (*Name of District*) Security Officer will make a determination whether any interim modifications are required. Finally, changes in Force Protection Levels may also require modifications of this plan.

X. DOT Security Training Requirement

Site-specific security training is required for all HAZMAT employees at the site. Each hazmat employee at this site must be trained concerning this Security Plan and its implementation.

The following persons have been trained on this security plan:

Name

Job Title

Date of training